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## PART I

**Punjab Government Notifications and Orders**

**GOVERNMENT OF PUNJAB**

**DEPARTMENT OF SCIENCE, TECHNOLOGY AND ENVIRONMENT**

**(STE Branch)**

**The 20th November, 2024**

Subject: -Issuance of directions u/s 5 of the Environment (Protection) Act, 1986 for prohibition of stubble burning in the State of Punjab.

**Notification No.:10/596/2024-STE2/805.-**

### **DIRECTIONS**

In order to protect and improve the environment and for prevention of hazards to human beings, other living creatures, plants and property and maintaining or resorting the wholesomeness of water and to preserve the quality of air, the Parliament of India had enacted the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and certain rules under the provisions of the Environment (Protection) Act, 1986 and all these Laws are collectively and severally being referred to as the Environmental Laws;

Whereas, the Environment (Protection) Act, 1986 enacted by the Parliament provides for the protection and improvement of environment and for the matters connected therewith.

And whereas, the environment as defined under the Environment (Protection) Act, 1986 includes water, air and land and the inter- relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property; "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment and "environmental pollution" means the presence in the environment of any environmental pollutant;

And whereas, the occupier in relation to any factory or premises, means a person who has, control over the affairs of the factory or the premises and includes in relation to any substance, the person in possession of the substance;

And whereas, the Punjab State Pollution Control Board being the prescribed authority is implementing the provisions of the Environmental Laws i.e. the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Rules made

thereunder, in the State of Punjab;

And whereas, the Government of Punjab in consultation with Punjab State Pollution Control Board has declared whole of the State of Punjab as Air Pollution Control area under section 19 (1) of the Air (Prevention and Control of Pollution) Act, 1981 vide Notification no. S.O. 21/C.A. 14/81/S. 19/88 dated 2/3/1988, for the purposes of the Air (Prevention & Control of Pollution) Act, 1981;

And whereas, the Hon'ble National Green Tribunal has taken cognizance of the issue of issue of air pollution in NCR and adjoining area including the State of Punjab and has issued directions to the concerned State Governments to take action against the defaulters of crop residue burning pollution by invoking the provisions of Environment (Protection) Act, 1986;

And whereas, the Hon'ble Supreme Court of India has also taken cognizance of the issue of issue of air pollution in NCR and adjoining area including the State of Punjab and the matter is being monitored by the Hon'ble Supreme Court;

And whereas, the Government of Punjab had considered the matter relating to the indiscriminate burning of left over paddy and wheat straw/ stubble in the open fields in the State and it has been observed that the indiscriminate burning of said left over straw/ stubble in open fields after the harvesting of crops is causing wide spread pollution in whole of the State of Punjab resulting in various kinds of environmental problems;

And whereas, air pollution caused by the burning of left-over straw leads to eye irritation, respiratory diseases like bronchitis, asthma etc. increasing individual disease mitigation expenses and also affecting one's working capacity. In addition, open burning in the field affects the life of animals, birds and other insects below and above the earth and also causes poor visibility and increases the incidence of road accidents;

And whereas, the State Government after consultation with the Punjab State Pollution Control Board is of the opinion that the indiscriminate burning of left over paddy and wheat straw/stubble after harvesting of the crops in the state causes wide spread air pollution, which is harmful to the environment as well as other living creatures;

And whereas, the Government of Punjab, Department of Science, Technology and Environment vide notification no. 3/162/2006-STE(4)/946 dated 22.10.2013 after consultation with the Punjab State Pollution Control Board has prohibited the indiscriminate burning of left over paddy and wheat straw/ stubble in the whole of State of Punjab with immediate effect;

And whereas, in exercise of its powers and performance of its functions, the Central Government is empowered u/s 5 of the Environment (Protection) Act, 1986 to issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;

And whereas, the Central Government has delegated the power vested in it u/s 5 of the Environment (Protection) Act, 1986 to all the State Governments vide separate notifications and to the Government of Punjab vide notification no. S.O. 389(E) dated 14.04.1988 published in the Gazette no. 205 dated 14.04.1988 and hence the Government of Punjab is empowered to issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions;

And whereas, the indiscriminate burning of agriculture residue, paddy stubble causes environmental pollution which is hazardous to the human beings, other living creatures, plants and property;

And whereas, the matter has been considered by the Government and the Government of Punjab is satisfied that the objective of the protection and improvement of environment by prohibiting the indiscriminate burning of agriculture residue, paddy stubble cannot be achieved except with the issuance of the directions by invoking the provisions of section 5 of the Environment (Protection) Act, 1986;

Therefore, in exercise of the powers conferred under section 5 of the Environment (Protection) Act, 1986, the State of Punjab in the Department of Science, Technology and Environment issues the following directions:

- i. That the indiscriminate burning of agriculture residue, left over paddy and wheat straw/ stubble is hereby prohibited in the entire State of Punjab.
- ii. Any person/occupier of premises, found indulging in burning of agricultural residue, left over paddy/ wheat straw/stubble shall be liable to be proceeded against in accordance with provisions of Section 15 of the Environment (Protection) Act, 1986.

The above directions are issued with approval of the competent authority.

Chandigarh  
The 20th November, 2024

**(PRIYANK BHARTI, IAS)**  
Secretary to Government of Punjab  
Department of Science, Technology and Environment